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July 15, 2020

BY ECF

Honorable Andrew L. Carter, Jr.  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

MEMO ENDORSED

Re: Jermaine Dunham v. City of New York,  
11 CV 1223 (ALC) (SLC)

Your Honor:

I am a Senior Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. I write to respectfully request that the Court, grant the defendants an extension of time to file Defendants' Response to Plaintiff's Statement of Additional Material Facts Pursuant to Rule 56.1(b), *nunc pro tunc*, from July 13, 2020 until July 15, 2020.<sup>1</sup> Due to an oversight by the undersigned, defendants' failed to file their Response to Plaintiff's Statement of Additional Material Facts Pursuant to Rule 56.1(b) with their Reply Memorandum of Law and request permission from the Court to file it today. Plaintiff's counsel Jason Kornmehl, Esq. has consented to this request. This is the first request for an extension relating to the defendants' Response to Plaintiff's Statement of Additional Material Facts.

Defendants also respectfully request a waiver of Your Honor's Individual Rule under section (2)(C), requiring service of a courtesy copy to chambers of defendants' reply papers. Due to the ongoing health crisis, a majority of the New York City Law Department staff continue to work from home, with only limited personnel traveling to the physical office. This request is being made in order to try to reduce the burgeoning workload being placed on the limited in office staff. Plaintiff's counsel, Jason Kornmehl, Esq., also consents to this request. This is

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<sup>1</sup> A copy of the Defendants' Response to Plaintiff's Statement of Additional Material Facts Pursuant to Rule 56.1(b) has been attached hereto as "Exhibit A".

defendants' first request for the relief sought relating to serving a courtesy copy of the reply papers.

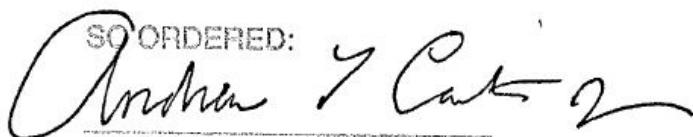
Defendants thank Your Honor for your consideration herein.

Respectfully submitted,

/s/

Joseph Zangrilli  
Special Federal Litigation Division

Cc: Maxwell W. Brown, Esq. (*Via ECF*)  
Jason E. Kornmehl, Esq. (*Via ECF*)

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE  
July 16, 2020